

## **Falls of the James Scenic River Advisory Committee**

### **Draft of the Minutes for November 11, 2004**

#### **Attendees**

Committee Members: Ralph Hambrick, Sue Cecil, John Pearsall, and Greg Velzy.

Guests: Louise Burke (member emeritus); Debbie Byrd, City Chesapeake Bay Program Coordinator; Angela Fountain (DPU); Brooke Hardin, Senior Planner; Federico Maisch, Partner, Greeley and Hansen; Robert Steidel, Deputy Director. DPU; Bob Stone, DPU; and Ralph White, Manager, James River Park System.

**Minutes** of the last meeting were approved as read.

#### **Chairman's Report**

Dr. Hambrick, Chairman, reported that the Downtown Plan Revision document was approved unanimously by City Council. He said that the City Planning Commission has renewed interest in the James River and has asked the Community Development Department to develop information about the River Corridor, including a map that identifies all areas of City ownership within the Corridor.

#### **CSO Update**

Frederico Maisch then gave a power point presentation of Phase III of Richmond's CSO project (copy attached). He pointed out that under Phase II untreated overflows into the river fell from 60 to 70 times a year to 1 to 4 times a year. The plan for Phase III is being developed, but, before it can be implemented, technical and financial issues must be resolved and the monitoring of the effectiveness of Phase II construction must be completed. Phase II will have to meet both DEQ and EPA water quality standards for E coli and fecal discharges as well as an 80% reduction in nitrogen and phosphorus, as defined by the Chesapeake Bay Preservation Act.

To meet the cost of Phase III, residential wastewater bills will be increased by a formula based on 1.25% of the medium income of Richmonders. Funding will also be sought by applying for grants and loans and issuing City bonds. Mr. Maisch pointed out that presently there is no dedicated source of funding from either the federal or the state government

Ralph White suggested that public understanding of the CSO project is vital to its successful completion. He proposed that signage be erected along the existing CSO walks and outflows as well as at monitoring stations. Mr. Velzy brought up the question of agricultural pollution of the James River west of the city, specifically in

areas where cattle are not fenced on the river side of their pastures. It was suggested that DEQ might deal with this problem.

Mr. Steidel said that DEQ will hold a public hearing of the project at a date to be announced. Until that time, he asked the Committee to consider a letter of support of the VPDES plan.

### **Chesapeake Bay Preservation Act**

Debbie Byrd then presented the revisions to the Chesapeake Bay Preservation Act (CBPA) (see attached report). She reported that the State has filed a court case against Richmond for not complying with the State-mandated changes. Her report was discussed at length. Mr. Pearsall raised the question of the impact of the new regulations on private property rights.

The Committee agreed to seek to learn more about the proposed ordinance in the public information sessions and public hearings. Dr. Hambrick suggested that we consider a position based on further information and a draft letter to be prepared by Catherine Harold. The draft letter will be sent by e-mail to Committee Members for their consideration.

There will be a public hearing before the City Planning Commission on November 15<sup>th</sup> at 1:30 p.m. The issue will be brought to City Council on Monday, November 22<sup>nd</sup> at 6:p.m.

### **Mayo Island Billboard**

Mr. Hardin gave out photographs of the billboard on Mayo Island. The owner never applied for a permit to erect it and is now asking City Council to issue such a special use permit. The City Planning Department staff opposes having a billboard on an island in the river. Mrs. Cecil made a motion that the Falls of the James oppose the issuance of a special use permit. The motion passed unanimously.

There being no further business the meeting was adjourned at 2:15 p.m.

Respectfully submitted

Sue Cecil